



780 Washington Street
Quincy, MA 02169
(617) 472-9200
(617) 472-5490 fax
www.trtllc.com

December 10, 2007

Division of Energy Resources
100 Cambridge Street, Suite 1020
Boston, Massachusetts 02114

Attn: RPS Statement of Qualification Mailbox

To Whom It May Concern:

In accordance with 225 CMR 14.00 et al, attached hereto is the completed Application for a Statement of Qualification, submitted by Twin Rivers Technologies Quincy, LLC ("TRT").

In summary, TRT proposes to qualify its on-site biofuel to energy units that currently co-fire Number 6 fuel oil with Natural Oil By-products, or "NOB", as meeting the Massachusetts RPS definition of new renewable generation.

For the reasons set forth below and in the attachments to the Application, TRT meets the eligibility criteria of 225 CMR 14.05 (1) (a)(6).

TRT's units are "low emission" technologies based on the July 30, 2004 issuance by Massachusetts DEP and a finding, on April 7, 2004, that the facility's air pollution control constitutes Reasonably Available Control Technology. Indeed, the Department has determined that the use of NOB resulted in "reductions in emissions of all pollutants...." April 7, 2004 Letter to Mr. Paul Angelico. Both permits are attached to this submission.

TRT's units constitute "advanced biomass conversion" as that term has been applied by the Department in various findings. TRT's co-firing of NOB with fossil fuels in its existing combustion units is novel, environmentally beneficial, and consistent with the Department's stated objectives that the RPS provide incentives that

"older, dirtier technologies... be replaced by cleaner and more efficient technologies." When considering the conversion of liquid biofuels to energy, the Department has consistently held that such conversion is "advanced" even if a portion of the technology is established. In both the SOQ for Iggy's Biodiesel CHP (1/1/05) and ABCDC's Brian J. Honan Apartments (5/11/04), applicants sought to qualify an established technology—the internal combustion engine—with the use of a cleaner, bio-based fuel. In both cases, the Department correctly found that the

"process of converting low-density biomass (woody debris, energy crops, human and animal wastes, etc) to...high-density biofuels" and then power is "advanced" and meets the goals of the RPS.

Finally, NOB is an "eligible biomass fuel" as defined by 225 CMR Section 14.02. TRT understands that the Department has expressed concern about the origins of certain biofuels and the issue of sustainability. While sustainability is not part of the regulatory review per se, TRT is sensitive to the Department's concerns. It is important to emphasize that NOB is not a virgin fuel product. Rather, it is a unique industrial product of the Oleochemical and other related manufacturing processes. These processes utilize tallow and various vegetable oils in "distillation towers"; hydrolysers; fractionators; and digesters where lower-end separations, or "bottoms", are separated out.

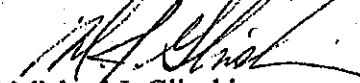
As required by the Department, attached please find Appendix B, together with a spreadsheet entitled "Twin Rivers Technologies NOB REC Calculation Worksheet and Certification", which is intended to satisfy Section B.4.a. Regarding B.4.b, NOB is continuously pumped into the fuel return line and mixed in the Boilerhouse fuel storage tank. Readings from a flow meter are taken daily and entered into the fuel receipt spreadsheet as are the type and quantity of all #6, #2 oil, and NOB deliveries establishing daily percentages of fuel in the system. Daily volume of fuel burned in each of the two boilers is recorded and put into the worksheet referenced above.

Also attached is Appendix C, and a corporate certification.

I can be reached at 617-472-9200 if you have any questions regarding the application. We look forward to working with the Department on this matter and appreciate your assistance.

Best Regards,

Twin Rivers Technologies Quincy, LLC



Michael J. Glinski,
Director of Regulatory Affairs

DOER Use Only

Date Received: _____
Date Complete: _____
Date Approved: _____

Generation Unit Name

Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
DIVISION OF ENERGY RESOURCES
RENEWABLE ENERGY PORTFOLIO STANDARD (RPS)
STATEMENT OF QUALIFICATION APPLICATION

DECEMBER 18, 2007, EDITION

Pursuant to the Renewable Energy Portfolio Standard Regulation at 225 CMR 14.00

SECTION I: Identification Information

- 1.1. Name of the Generation Unit: Twin Rivers Technologies Quincy LLC
- 1.2. NEPOOL GIS Identification Number: 32587
[If pending or if not applicable, so indicate and briefly explain.]
- 1.3. Rated Capacity [per nameplate]: .58 MW
- 1.4. This Application includes the following [check all that apply]:
☐ APPENDIX A: Vintage Generation Waiver
☒ APPENDIX B: Co-Firing with Ineligible Fuels Waiver
☒ APPENDIX C: Small Generation Unit Provisions
☐ APPENDIX D: Generation Unit Located Outside of the ISO-New England Control Area
☐ APPENDIX E: Certification of Authorized Representative Certification When the Generation Unit Owner or Operator Is an Individual
☐ APPENDIX F: Certification of Authorized Representative Certification When the Generation Unit Owner or Operator Is a Non-Corporate Entities Other Than an Individual
- 1.5. Name of the Applicant [applying entity]:
Twin Rivers Technologies Quincy LLC
- 1.6. Name of the Applicant's Contact Person: Michael Gliniski
Title Director, Regulatory Affairs
Organization Twin Rivers Technologies Quincy LLC
Address 780 Washington Street
Quincy, Massachusetts
02169
Phone 617-472-9200
Fax 617-472-5460
Email mike.gliniski@trt1p.com

Name of Generation Unit: Twin Rivers Technologies Quincy LLC

1.7 Name of the Authorized Representative of the Generation Unit's Owner or Operator:

See Section 1.6

Title _____
Organization _____
Address _____

Phone _____
Fax _____
Email _____

1.8 Name of the Generation Unit Owner:

Twin Rivers Technologies Quincy LLC

Address 780 Washington Street
Quincy, Massachusetts

Phone 617-472-9200
Fax 617-472-5460
Email scott.chatlin@trtllc.com

1.8.1 Owner's business organization type:

- ☐ Individual
☐ Partnership
☒ Corporation, including LLC
☐ Other: _____

1.9 Name of the Generation Unit Operator:

See Section 1.8

Address _____

Phone _____
Fax _____
Email _____

1.9.1 Operator's business organization type:

- ☐ Individual
☐ Partnership
☒ Corporation, including LLC
☐ Other: _____

Name of Generation Unit: Twin Rivers Technologies Quincy LLC

SECTION II: Fuels, Energy Resources and Technologies¹

2.1 Please indicate which of following Eligible New Renewable Fuels, energy resources and technologies are used by the Generation Unit [check ALL that apply]:

- ☐ Solar photovoltaic
- ☐ Solar thermal electric energy
- ☐ Wind energy
- ☐ Ocean thermal, wave or tidal energy [indicate which]
- ☐ Fuel cells using an Eligible New Renewable Fuel
- ☐ Landfill methane gas
- ☐ Anaerobic digester gas
- ☒ Biomass, using a low-emission, advanced biomass power conversion technology

2.2 If you checked Biomass in section 2.1 above, please provide the following:

A. Attach a copy of the Generation Unit's Valid Air Permit or equivalent authorization.

If the Unit is a solid fueled steam boiler that does not or will not co-fire with an ineligible fuel,² and the NOx and PM limits in the Permit are higher than the applicable limits in the *Guideline on the RPS Eligibility of Biomass Generation Units*, then provide an attachment detailing your plans to meet the limits set forth in the *Guideline*. (attached)

B. Enter effective date of Valid Air Permit or equivalent authorization: July 30, 2004
If the Unit requires but does not yet have a Permit, describe in an attachment your plans and timetable for obtaining one.

If the Unit does not require a Permit, please explain either here or in an attachment:

C. State or jurisdiction issuing Valid Air Permit or equivalent authorization:

Massachusetts

D. Specify the fuel or fuels used in the Unit organically derived portion of oleochemical process including natural oils from tallow, vegetable oils, #6 Fuel oil, propane for start-up.
NOTE: If the Unit will co-fire an Eligible Biomass Fuel with an ineligible fuel (the latter including all fossil fuels), or if the Unit will use a blended liquid or gaseous bio-fuel (such as a biodiesel blend), you must complete and attach APPENDIX B and include all required attachments, including a Fuel Supply Plan.³

E. If the Unit will use a liquid or gaseous bio-fuel, in an attachment identify the type and original source of the feedstock(s) of the bio-fuel, and describe the process by which the fuel will be derived from the feedstock(s).

F. Please provide in an attachment technical details sufficient to demonstrate to the Division that the Unit uses an "advanced biomass power conversion technology." Information to justify that designation may include, but not be limited to the following:

- Description of the Unit's design, including details on any new or unique features of the design that may exist.
- Clear, legible drawings, illustrations, sketches or figures consistent with descriptions.
- The Unit's expected efficiency and how that compares to other comparable designs on the market.
- If appropriate, explanation of how the Unit would represent a new market application.

¹ As described in 225 CMR 14.05(1)(a) and any current, relevant, RPS Guidelines.

² The provisions of 225 CMR 14.05(3) shall not apply to the incidental use of ineligible fuels for the purpose of cold starting a Generation Unit that otherwise exclusively uses an Eligible New Renewable Fuel.

³ However, see footnote 2.

Name of Generation Unit: Twin Rivers Technologies Quincy LLC

SECTION III: Commercial Operation Date

- 3.1 Commercial Operation Date [as defined at 225 CMR 14.02]: October, 2002
If the date is earlier than January 1, 1998, then please complete and attach APPENDIX A to request a Vintage Waiver under 225 CMR 14.05(2).
- 3.2 Did any Generation Unit utilize an Eligible New Renewable Fuel, resource or technology (as listed in section 2.1 above) to generate electricity at the location of the Generation Unit for which application is being made?
☐ Yes
☒ No
If you checked Yes, please complete and attach APPENDIX A.
- 3.3 Did the Generation Unit or any of its power production equipment utilize Eligible New Renewable Fuels, energy resources, or technologies (as listed in section 2.1 of the Application) on or before December 31, 1997 to generate electricity at any other location?
☐ Yes
☒ No
If you checked Yes, please complete and attach APPENDIX A.

SECTION IV: Metering

- 4.1 Please indicate how the Generation Unit's electrical energy output is verified:
☐ ISO-NE Settlement Market System
☒ Self-report to the NEPOOL GIS Administrator [If checked, attach APPENDIX C.]
☐ Other [If checked, attach APPENDIX C.]

SECTION V: Location

- 5.1 Please check each of the following that applies to the Generation Unit:
☒ Grid Connected Generation
☐ Off-Grid Generation [NOTE that such a Unit must be located within Massachusetts]
☒ Behind-the-Meter Generation
If the Unit is located outside Massachusetts and is both Behind-the-Meter and Grid Connected, then please describe the configuration and the meter type in an attachment.
- 5.2 Enter the Generation Unit's street address (or other identification of precise physical location).
If the Unit is located outside of ISO New England, complete and attach Appendix D.
780 Washington Street
Quincy, Massachusetts

Name of Generation Unit:

Twin Rivers Technologies Quarry LLC**SECTION VI: Certification**

- 6.1 Please attach documentation that demonstrates the authority of the Authorized Representative indicated in section 1.7 to certify and submit this Application. The documentation must follow the instructions below.

Corporations

If the Owner or Operator is a corporation (including limited liability corporations), the Authorized Representative shall provide **either**:

- (a) a board of directors vote granting authority to the Authorized Representative to execute the Statement of Qualification Application, **or**
- (b) a certification from the Corporate Clerk or Secretary of the Corporation that the Authorized Representative is authorized to execute the Statement of Qualification Application, or is otherwise authorized to legally bind the corporation in like matters.

Individuals

If the Owner or Operator is a sole proprietorship or an individual, that proprietor or individual shall complete and attach APPENDIX E or a similar form of certification from the Owner or Operator, duly notarized, that certifies that the Authorized Representative has authority to execute the Statement of Qualification Application.

Non-Corporate Entities

(Proprietorships, Partnerships, Cooperatives, Government Agencies, etc.)

If the Owner or Operator is not an individual or a corporation, it shall complete and attach APPENDIX F **or** execute a comparable, duly notarized, resolution of authorization indicating that the person named in section 1.7 has authority to execute the Statement of Qualification Application or otherwise to legally bind the non-corporate entity in like matters.

I hereby certify, under pains and penalties of perjury, that I have personally examined and am familiar with the information submitted herein, and, based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties, both civil and criminal, for submitting false information, including possible fines and punishment. My signature below certifies all information submitted in this Statement of Qualification Application. The Statement of Qualification Application includes the Application form and all required Appendices and attachments.



Signature of Authorized Representative1/25/08

Date

Name of Generation Unit:

[This page was left deliberately blank, and it may be used to provide supplementary information keyed to sections of the Application.]

Name of Generation Unit: Twin Rivers Technologies Quincy LLC

APPENDIX A VINTAGE WAIVER¹

RENEWABLE ENERGY PORTFOLIO STANDARD

STATEMENT OF QUALIFICATION APPLICATION

Pursuant to the Renewable Energy Portfolio Standard Regulation at 225 CMR 14.00

A.1 Basis on which the Generation Unit qualifies for a Vintage Waiver *[check any that apply]*

☐ a. Vintage Generation Unit

☐ b. Generation Unit located at the site of Vintage Generation, wherein another Generation Unit(s) that utilized any "Eligible New Renewable Fuels, energy resources, or technologies" (as listed in section 2.1 of the Application) generated electrical energy on or in the same parcel or land, landfill, or structure as the Applicant's Unit at any time during calendar years 1995 through 1997

☐ c. Generation Unit equipment previously used elsewhere, wherein the Generation Unit or any of its power production equipment utilized any "Eligible New Renewable Fuels, energy resources, or technologies" (as listed in section 2.1 of the Application) at another site to generate electrical energy any time during the years 1995 through 1997

A.2 Vintage Generation Unit:

If you checked "Vintage Generation Unit" in section A.1 above, please provide the following information:

a. Historical Generation Rate:² _____ MWh

b. In an *attachment*, please provide the following:

1. List of source(s) used to document Historical Generation Rate:
2. Calculation of the Unit's Historical Generation Rate
3. Documentation of the Unit's Historical Generation Rate

A.3 Generation Unit located at the site of Vintage Generation:

If you checked "Generation Unit previously located at the site of Vintage Generation" in section A.1 above, please provide for each such Unit the following information in an *attachment*:

- a. Name,
- b. Asset Identification Number (if any) or other identifier,
- c. Technology type,

¹ Required of all applicants seeking a Vintage Waiver under the provisions at 225 CMR 14.05(2).

² See the definition of Historical Generation Rate at 225 CMR 14.02.

Name of Generation Unit: Twin Rivers Technologies Quincy LLC

- d. Fuel,
- e. Historical Generation Rate,³ and
- f. Calculation of the Historical Generation Rate.

In addition, *attach* documentation of the Historical Generation Rate of each such Unit

A.4 Generation Unit equipment previously used elsewhere:

If you checked "Generation Unit equipment previously used elsewhere" in section A.1 above, please provide in an *attachment* the following for each such Unit or equipment:

- g. Name,
- h. Asset Identification Number (if any) or other identifier,
- i. Technology type,
- j. Fuel,
- k. Historical Generation Rate,⁴ and
- l. Calculation of the Historical Generation Rate.

In addition, *attach* documentation of the Historical Generation Rate of the Unit in which each such equipment operated.

³ See footnote 2.

⁴ See footnote 2.


Name of Generation Unit: Twin Rivers Technologies Quisby LLC

APPENDIX B
CO-FIRING WITH INELIGIBLE FUELS WAIVER¹

RENEWABLE ENERGY PORTFOLIO STANDARD

STATEMENT OF QUALIFICATION APPLICATION

Pursuant to the Renewable Energy Portfolio Standard Regulation at 225 CMR 14.00

B.1 The Authorized Representative will please initial here to acknowledge that the monthly percentage of electrical energy output attributable to each fuel is, and will continue to be, reported to the NEPOOL GIS Administrator each month pursuant to the NEPOOL GIS Operating Rules: 

B.2 Please attach with this Application a "Fuel Supply Plan" that includes the following information:

- (a) List of each and every fuel likely to be co-fired or used in a fuel blend.
- (b) The likely proportion of each fuel in the mix or in the fuel blend
- (c) The likely net heat content of each, including any expected seasonal variations, such as those due to moisture content or wood species.
- (d) The seasonal variation of the fuel mix or blend, if any,

If the Generation Unit is not yet in operation, use your current assumptions about the fuel mix or blend and its characteristics.

B.3 For a Generation Unit that co-fires an Eligible New Renewable Fuel with an ineligible fuel (including all fossil fuels), whether as a mixture of solid fuels or a blend of liquid or of gaseous fuels, only the portion of the total electrical energy output attributable to the Eligible New Renewable Fuel will qualify as New Renewable Generation in a given time period. In order to determine what that portion will be, please attach the following with this Application:

- (a) Data and calculations documenting, pursuant to 225 CMR 14.05(3)(a), the ratio of the net heat content of the Eligible Renewable Fuel consumed to the net heat content of all fuel consumed during an average month. If you anticipate substantial seasonal differences, then show this data for an average month in different seasons.
- (b) A description of the procedures that are (or will be) used by the Owner or Operator to obtain the data listed in subsection B.3(a) above. Please also include a description of all quality control measures used to verify the uniformity of the heat content of the Eligible New Renewable Fuel or to account for variations in the heat content of the Eligible New Renewable Fuel used in the Generation Unit.

¹ Required of all Applicants seeking a Co-Firing with Ineligible Fuels Waiver under the provisions at 225 CMR 14.05(3). This includes applicants who use or will use a liquid or gaseous biofuel blended with an ineligible fuel, such as B-20 biodiesel. This Appendix and Waiver are not required for the incidental use of ineligible fuels for the purpose of cold starting a Generation Unit that otherwise exclusively uses an Eligible New Renewable Fuel, per 225 CMR 14.05(3)(e).

Name of Generation Unit: Twin Rivers Technologies Quincy, LLC

If the Generation Unit is not yet in operation, use your current assumptions about the fuel mix or blend and its characteristics. (The Unit will not be held to these numbers in its actual operations; rather, this information is to demonstrate the applicant's methodology.)

- B.4 If the Generation is using an Eligible Biomass Fuel and is not located in Massachusetts, please indicate whether the emission rates for the entire Generation Unit either are or will be consistent with the rates prescribed by the MassDEP for comparably fueled Generation Units located in Massachusetts.

☐ Yes

☐ No

If you checked No, then the Unit will not qualify as a New Renewable Generation Unit under the current RPS Regulation.

If you checked Yes, then please provide documentation to demonstrate to the satisfaction of DOER that the emission are or will be consistent with the rates prescribed by the MassDEP for comparably fueled Generation Units located in Massachusetts. Documentation may refer to the attached Valid Air Permit, or it may consist of vendor guarantees or a detailed engineering analysis.

- B.5. If the Generation Unit is using an Eligible Biomass Fuel and is *not* located in Massachusetts, please initial below to acknowledge that the Generation Unit Owner or Operator will, if required by the Division, retain at its own expense a third-party consultant deemed satisfactory to the Division, to provide the Division and the MassDEP with assistance in the determination as to whether the emission rates for the entire Generation Unit either are or will be consistent with the rates prescribed by the MassDEP for comparably fueled Generation Units located in Massachusetts: _____

Twin Rivers Technologies NOB REC Calculation Worksheet and Certification

Values entered are shown in blue, calculated values in black

Year	2007
Quarter	3
Energy content #6:	18,551 btu / lb
Energy Content #2:	17,100 btu / lb
Energy content NOB:	16,793 btu / lb
#6 density:	8.100 pounds / gallons
#2 density:	7.600 pounds / gallons
NOB density:	7.641 pounds / gallons
CE #6 Lbs Combusted	2,423,118 lbs
B&W #6 Lbs Combusted	82,921 lbs
CE #2 Lbs Combusted	13,733 lbs
B&W #2 Lbs Combusted	654 lbs
CE NOB Lbs Combusted	5,563,935 lbs
B&W NOB Lbs Combusted	177,715 lbs
Total petroleum energy content	46,735,540 MMBtu
Biomass energy content:	96,419,528 MMBtu
Total energy content	143,155,068 MMBtu
Ending NOB use fraction:	67.35%
Total electric generation	929,159 kwh
Biomass kwh production	625,818 kwh
Megawatt Hours of Biomass Production	625.8 Mwh
Biomass RECs	626

Fuel Usage Summary				
	NOB	#2	#6	Total
lbs used in quarter	5,741,650	14,387	2,506,039	8,262,076 lbs
total MMBtus	96,419,528	246,014	46,489,526	143155068 Mmbtus
Electric Generation				625818 kwh
Total electrical generation:				626 MWh
RECs generated this quarter:				626

I declare the values shown on this worksheet to be true and accurate, to the best of my knowledge, and further that the amount of #2 fuel used in the facility was less than one percent of the total #6 fuel used, and that the energy content of the #2 fuel was within ten percent (10%) of the energy content of the #6 fuel.

Signature: _____

Name: Michael J. Glinski
 Title: Director of Regulatory Affairs

Date: _____

Energy Consumers Alliance of New England

Fuel Supply Plan

Fuel to be Used in Co-Blend: Natural Oil Byproducts, or "NOB", #6 oil, #2 oil, propane (for start-up only).

Likely Portion of Fuel Mix: See attached document entitled "NOB REC Calculation Worksheet and Certification."

Net Heat Content and Seasonal Variations in Content: See Worksheet

Seasonal Variations in Fuel Use: See Worksheet

Type and Original Source of Fuel: NOB is derived from an industrial process that involves the refining of tallow and vegetable oil. NOB is not a virgin fuel product. Rather, it is a unique industrial by-product of the oleochemical and other related manufacturing processes. These processes utilize tallow and various vegetable oils in a "distillation tower" or digester where lower-end separations, or "bottoms", are separated out. It is not palm oil, and no agricultural crop is grown or harvested for the creation of NOB.

Process of Deriving Fuel from Feedstock: Use of a distillation column produces certain natural oil byproducts created in the lower end of the column. These byproducts have an excellent btu value and can serve as an important replacement to fossil fuels.

Name of Generation Unit: Twin Rivers Technologies Quincy LLC

APPENDIX C¹
SMALL GENERATION UNIT PROVISIONS

RENEWABLE ENERGY PORTFOLIO STANDARD

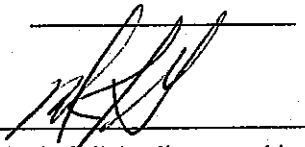
STATEMENT OF QUALIFICATION APPLICATION

Pursuant to the Renewable Energy Portfolio Standard Regulation at 225 CMR 14.00

- C.1 If you did not indicate ISO-NE Settlement Market System in Section 4.1 of the Application, please indicate how and by whom the Generation Unit's electrical energy output data will be monitored and recorded and its quality verified:²

TRT has an "on system" meter that tracks
power generated. This system is located
on the turbine. We also track fuel inputs.
Using these inputs, we calculate total power
generated, and issue quarterly reports.

- C.2 The Authorized Representative will please initial here to acknowledge that the Generation Unit's New Renewable Generation Attributes to be used for compliance with the Massachusetts Renewable Energy Portfolio Standard have not otherwise been, nor will be, sold, retired, claimed, used, represented as part of electricity output or sales, or used to satisfy obligations in jurisdictions other than Massachusetts:


¹ Required of all Applicants seeking eligibility as a Small Generation Unit under the provisions at 225 CMR 14.05(4). A Small Generation Unit is defined at 225 CMR as any Generation Unit whose metered electrical energy output data are not provided to the New England Power Pool under the ISO-NE Settlement Market System or any successor system. This includes all Off-Grid Units and most Behind-the-Meter Units.

² The Division reserves the right to verify the quality of the data reported to the NEPOOL GIS.

Name of Generation Unit: Twin Rivers Technologies Quiny LLC

APPENDIX D¹

GENERATION UNIT LOCATED OUTSIDE THE ISO-NE CONTROL AREA

RENEWABLE ENERGY PORTFOLIO STANDARD

STATEMENT OF QUALIFICATION APPLICATION

Pursuant to the Renewable Energy Portfolio Standard Regulation at 225 CMR 14.00

- D.1 The Authorized Representative will please initial here to acknowledge that you will provide to the Division by July 1st of each year a certification that the Generation Unit's New Renewable Generation Attributes used for compliance with the Massachusetts Renewable Energy Portfolio Standard during the previous Compliance Year have not otherwise been, nor will be, sold, retired, claimed, used, or represented as part of electricity output or sales, or used to satisfy obligations in jurisdictions other than Massachusetts: _____
- D.2 Please initial below to acknowledge the following:
- (a) You have attached or expeditiously shall provide *[please indicate which]* documentation of a contract or other legally enforceable obligation(s) (Legal Obligation) executed between the Generation Unit Owner, Operator, or authorized agent and an electrical energy purchaser located in the ISO-NE Control Area for delivery of the Unit's electrical energy to the ISO-NE Control Area. Such documentation shall also include proof of associated transmission rights for delivery of the Unit's electrical energy from the Unit through the adjacent Control Area to the ISO-NE Control Area.
 - (b) You shall provide documentation quarterly, satisfactory to the Division, that
 - (1) the electrical energy delivered pursuant to the Legal Obligation was settled in the ISO-NE Settlement Market System;
 - (2) the Generation Unit produced, during each hour of the applicable month, the amount of MWhs claimed, as verified by the NEPOOL GIS administrator; if the originating Control Area employs a Generation Information System that is comparable to the NEPOOL GIS, such system may be used to support such documentation; and
 - (3) the electrical energy delivered under the Legal Obligation received a North American Electric Reliability Council Tag (NERC Tag) confirming transmission from the originating Control Area to the ISO-NE Control Area.

¹ Required of all Applicants seeking eligibility as a Generation Unit located outside of the ISO-NE control area under the provisions at 225 CMR 14.05(5).

Name of Generation Unit: Twin Rivers Technologies Quincy LLC

APPENDIX E
CERTIFICATION OF AUTHORIZED REPRESENTATIVE
WHEN THE OWNER OR OPERATOR IS AN INDIVIDUAL
RENEWABLE ENERGY PORTFOLIO STANDARD
STATEMENT OF QUALIFICATION APPLICATION
Pursuant to the Renewable Energy Portfolio Standard Regulation at 225 CMR 14.00

I, _____, as Owner or Operator of the Generation Unit named in section 1.1 of the Statement of Qualification Application to which this Certification is appended, under the pains and penalties of perjury, hereby certify that _____, named in section 1.7 of said Application, is authorized to execute said Application.

If the Generating Unit named in section 1.1 of said Application is a Small Generating Unit as provided in 225 CMR 14.05(4), I further certify that the New Renewable Generation Attributes for which qualification is sought pursuant to said Application will not be, sold, retired, claimed, used, or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Massachusetts.

[signature]

[date]

[title]

[TO BE COMPLETED BY NOTARY] I, _____
as a notary public, certify that I witnessed the signature of the above named
_____, and that said individual verified
his or her identity to me on this date: _____, 20 ____.

[signature]

My commission expires on: _____

NOTARY SEAL HERE:



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
METROPOLITAN BOSTON - NORTHEAST REGIONAL OFFICE

COPY

MITT ROMNEY
Governor

KERRY HEALEY
Lieutenant Governor

JUL 30 2004

ELLEN ROY HERZFELDER
Secretary

ROBERT W. GOLLEDGE, Jr.
Commissioner

Steve Rapp
Air Permits Program
EPA New England
One Congress Street, Suite 1100 (CAF)
Boston, Massachusetts 02114-2023

RE: FINAL OPERATING PERMIT
Application for: BWPAQ16
Source No.: 1190497
Application No.: MBR-95-OPP-056
Transmittal No.: 105672

AT: Twin Rivers Technologies
780 Washington Street
Quincy, Massachusetts 02169

Dear Mr. Rapp:

In accordance with 310 CMR 7.00 - APPENDIX C(6) of the Massachusetts Air Pollution Control Regulations ("the Regulations"), the Department of Environmental Protection ("the Department") is forwarding to EPA the attached Final Operating Permit for the Twin Rivers Technologies facility located at 780 Washington Street in Quincy, Massachusetts.

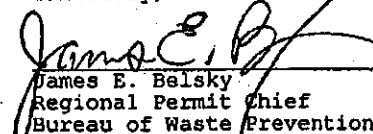
The Department published the public notice of the Draft Operating Permit in the Boston Globe and the Environmental Monitor on August 10, 2002, in accordance with the requirements of 310 CMR 7.00: Appendix C(6)(b). As such, the public comment period ended on September 24, 2002. During that period, a public hearing was not requested.

On April 8, 2004, the Department forwarded to EPA New England, via electronic mail, the Proposed Operating Permit for this facility. EPA did not object or comment on the Proposed Operating Permit, nor did EPA receive a petition to object to the Proposed Operating Permit within the regulatory deadlines. Therefore, the Department is issuing the Final Operating Permit.

The attached Final Operating Permit contains all of the Federal and State Air Pollution Control requirements the facility is subject to, and the terms and conditions for compliance with such applicable requirements.

Should you have any questions concerning this Final Operating Permit, please contact Cosmo Buttaro at (617) 654-6591 at your earliest convenience.

Sincerely,


James E. Belsky
Regional Permit Chief
Bureau of Waste Prevention

cc: Michael Glinski, Twin Rivers Technologies, 780 Washington Street, Quincy, MA 02169
Board of Health, 1585 Hancock Street, Quincy, MA 02169
Fire Headquarters, 26 Quincy Avenue, Quincy, MA 02169
Metropolitan Area Planning Council, 60 Temple Place, Boston, MA 02111
USEPA - Region I - Ida McDonnell (E-Copy)
DEP/NERO, Thomas Parks (E-Copy & Hard Copy), Jim Belsky (E-Copy), Maureen Hancock,
Cosmo Buttaro
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COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
METROPOLITAN BOSTON - NORTHEAST REGIONAL OFFICE

MITT ROMNEY
Governor

KERRY HEALEY
Lieutenant Governor

ELLEN ROY HERZFELDER
Secretary

ROBERT W. GOLLEDGE, Jr.
Commissioner

FINAL AIR QUALITY OPERATING PERMIT

Issued by the Massachusetts Department of Environmental Protection ("The Department") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

ISSUED TO ["the Permittee"]:

Twin Rivers Technologies
780 Washington Street
Quincy, Massachusetts 02169

INFORMATION RELIED UPON:

Application No. MBR-95-OPP-056
Transmittal No. 105672

FACILITY LOCATION:

Same

FACILITY IDENTIFYING NUMBERS:

SSEIS ID: 1190497
FMF FAC NO.: 230622
FMF RO NO.: 230623

NATURE OF BUSINESS:

Fatty Acid production

STANDARD INDUSTRIAL CODE:

(SIC): 2869

RESPONSIBLE OFFICIAL:

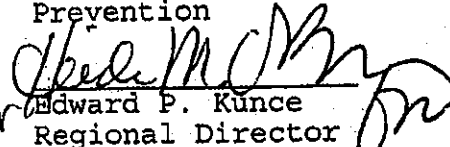
Name: Paul Angelico
Title: President Operations

FACILITY CONTACT PERSON:

Name: Michael Glinski
Title: Director of
Environmental Safety
Phone: (617) 745-4282

This Operating Permit shall expire on July 30, 2009.

For the Department of Environmental Protection, Bureau of Waste Prevention


for 
Edward P. Kunce
Regional Director

Date July 30, 2004

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SPECIAL CONDITIONS FOR OPERATING PERMIT

1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00: Appendix C and applicable rules and regulations, the Permittee is authorized to operate air emission units as shown in Table 1 and exempt and insignificant activities as described in 310 CMR 7.00: Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this Permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this Permit.

2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this Operating Permit:

Table 1			
EU#	DESCRIPTION OF EMISSION UNIT	EU DESIGN CAPACITY	POLLUTION CONTROL DEVICE
EU1	Combustion Engineering Model No. 25-A-12 Boiler Unit No. 1	91.4 MMBTU/hr	None
EU2	Babcock & Wilcox Model No. F.M. 10-52B Boiler Unit No. 2	44.6 MMBTU/hr	None

Table 1 Key:

EU# = Emission Unit Number

MMBTU/hr = million British Thermal Units per hour

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following (Table 2) are considered to be exempt activities in accordance with the criteria contained in 310 CMR 7.00: Appendix C(5)(h):

Table 2	
The list of exempt activities is contained in the Application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of this list shall be kept on-site at the facility and a copy shall be submitted to the Department's Regional Office.	

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4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

Table 3				
EU#	FUEL	POLLUTANT	EMISSION LIMIT/STANDARD	APPLICABLE REGULATION AND/OR APPROVAL NUMBER
EU1	No. 6 Fuel Oil ≤ 1% S by weight ≤ 0.35% N by weight No. 2 Fuel Oil ≤ 0.3% S by weight Natural Oil By-Products	NO _x	≤ 0.30 lb/MMBTU	310 CMR 7.19(5)(a)2.c. MBR-95-ECP-005
		CO	≤ 200 ppm by volume, dry basis at 3% O ₂	310 CMR 7.19(5)(d) MBR-95-ECP-005
EU2	Same as above	NO _x /CO	The boiler shall be tuned annually using the specified procedure to minimize NO _x /CO emissions. At least once per month, verify that the settings determined during the tune-up have not changed.	310 CMR 7.19(6) MBR-95-ECP-005
EU1, EU2	Same as above	N in Fuel No. 6 Fuel Oil / Natural Oil By-Products	≤ 0.35% by weight	MBR-95-ECP-005
		S in Fuel No. 6 Fuel Oil / Natural Oil By-Products	≤ 1% by weight	
		S in Fuel No. 6 Fuel Oil	≤ 0.55 lb/MMBTU	310 CMR 7.05(1)(a)1.
		S in Fuel No. 2 Fuel Oil	≤ 0.17 lb/MMBTU	310 CMR 7.05(1)(a)2.
		PM	≤ 0.3% by weight ≤ 0.10 lb/MMBTU	MBR-95-ECP-005 310 CMR 7.02(8)(A)
		Opacity	≤ 15% during normal operation based on a six-minute block average ≤ 27% during Startup, Shutdown, Soot Blowing, Burner Change, and Tune-up/Testing based on a six-minute block average Never to exceed 27% based upon a six-minute block average	310 CMR 7.06(1)(c), Approved Plan of Good Operating Practices
		Smoke	< No. 1 of Chart *, except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	310 CMR 7.06(1)(b)
Facility-Wide (Except EU1, EU2)	NA	Opacity	≤ 20 percent, except > 20 to ≤ 40 percent for ≤ 2 minutes during any one hour	310 CMR 7.06(1)(b)

Table 3 Notes:

- In accordance with Approval MBR-95-ECP-005, the Permittee may combust and/or blend Natural Oil By-Products produced on-site with No. 6 Fuel Oil, provided that said blend shall maintain a nitrogen (N) content of no greater than 0.35 percent by weight and a sulfur (S) content of no greater than 1.0 percent by weight, for both boilers. In the event Natural Oil By-Products are not available, the Permittee shall utilize No. 6 Fuel Oil having a maximum N content of no greater than 0.35 percent by weight and a S content of no greater than 1.0 percent by weight, for both boilers.
- Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by the Department.

Table 3 Key:

EU# = Emission Unit Number
% = percent
ppm = parts per million
lb/MMBTU = pounds per million British Thermal Units
NO_x = Nitrogen Oxides
CO = Carbon Monoxide
PM = Particulate Matter
S = Sulfur
N = Nitrogen

SO₂ = Sulfur Dioxide
O₂ = Oxygen
NA = Not Applicable
> = greater than
< = less than
≤ = less than or equal to

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring/testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00: Appendix C (9) and (10), as well as the applicable requirements contained in Table 3:

Table 4	
EU#	MONITORING/TESTING REQUIREMENTS
EU1	<p>Conduct Emissions Compliance Testing (Stack Testing) biennially prior to December 31, of the calendar year, beginning with the calendar year 1996, in accordance with Approval MBR-95-ECP-005, 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A.</p> <p>In accordance with 310 CMR 7.19(13)(d)3., and Approval MBR-95-ECP-005, measure on a daily basis: type fuel(s) burned each day, heat content of each fuel, and the total heating value of the fuel consumed for each day.</p>
EU2	<p>In accordance with 310 CMR 7.19(6)a, and Approval MBR-95-ECP-005 tune the emission unit annually according to the procedure described in 310 CMR 7.19(6)(a)1. through 12.</p> <p>In accordance with 310 CMR 7.19(6)(b)2.g., and Approval MBR-95-ECP-005, at least once per month verify that the settings determined during the tune-up have not changed.</p>
EU1, EU2	<p>In accordance with 310 CMR 7.19(13)(d)5., 310 CMR 7.19(13)(d)6., and/or Approval MBR-95-ECP-005, monitor nitrogen content of each new shipment of fuel received, by one of the following methods:</p> <p>(1) monitor through obtaining a certification from the fuel supplier that includes the following information:</p> <ul style="list-style-type: none"> a. the name of fuel supplier; b. the nitrogen content* of each fuel shipment; and c. the location where the sample was drawn for analysis to determine the nitrogen content of fuel, specifically including whether the fuel was sampled as delivered to the Permittee's facility or whether the sample was drawn from the fuel in storage at the fuel supplier's or fuel refiner's facility or another location. <p>(2) sample and analyze the fuel for nitrogen content* immediately after the fuel tank is filled and before any fuel is combusted.</p> <p>* The shipment certification or analysis of nitrogen content of the fuel shall be in accordance with applicable ASTM test methods or any other method approved by the Department or EPA.</p> <p>In accordance with Approval MBR-95-ECP-005 and pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(b)2., monitor sulfur content of each new shipment of fuel received. Compliance with Approval MBR-95-ECP-005, 310 CMR 7.05(1)(a)1., and 310 CMR 7.05(1)(a)2. for sulfur content of the fuel can be demonstrated through fuel analysis. The analysis of sulfur content of the fuel shall be in accordance with the applicable American Society for Testing Materials (ASTM) test methods or any other method approved by the Department and the United States Environmental Protection Agency (EPA). Fuel sulfur information may be provided by fuel suppliers.</p> <p>Pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(b)2., monitor unit operations, as necessary, to ensure continuous compliance with PM emission limits.</p> <p>In accordance with 310 CMR 7.04(4)(a), inspect and maintain fuel utilization facility in accordance with manufacturer's recommendations and test for efficient operation at least annually.</p>

Table 4

EU#	MONITORING/TESTING REQUIREMENTS
EU1, EU2	<p>In accordance with 310 CMR 7.04(2)(a) and the Approved Plan of Good Operating Practices, no person shall cause, suffer, allow, or permit the burning of any grade oil or solid fuel in any fuel utilization facility having an energy input capacity rated by the Department equal to or greater than 40 MMBTU per hour, unless such facility is equipped with a smoke density sensing instrument and recorder which are properly maintained in an accurate operating condition, operates continuously and is equipped with an audible alarm to signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No. 1 of the Chart. Pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(b)2., the use of Continuous Opacity Monitoring Systems (COMS) equipped with audible alarms and recorders that signal the need for combustion equipment adjustment or repair when the Opacity is equal to or greater than 20 percent shall constitute compliance with this requirement. The Opacity COMS shall meet Performance Specification 1 of 40 CFR Part 60, Appendix B.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, as a minimum, calibrate the smoke density indicator system at least annually in accordance with the manufacturer's recommended procedures.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, the smoke density indicator, audible alarm and recorder system is used as an indicator to initiate corrective actions if the opacity level is in excess of the expected level, as defined in the Approved Plan of Good Operating Practices, for: normal operation, startup, shutdown, soot blowing, burner change, and tune-up/testing.</p> <p>If measured opacity exceeds an applicable emission limit, the facility shall evaluate the exceedance to determine cause and if the Approved Plan of Good Operating Practices was being followed during the exceedance period. The reason(s) and any corrective action shall be documented in a logbook or other permanent record.</p> <p>If more than three (3) exceedances of a particular type (startup, shutdown, soot blowing, burner change, and tune-up/testing) should occur within a six (6) month period for any reason, then at the next scheduled event of that type, a Method 9 Test shall be conducted, and the Approved Plan of Good Operating Practices should be revised if appropriate.</p> <p>Based upon the cause of exceedance, the facility may request waiver of the Method 9 Test requirement. Any request shall be in writing to the Department.</p> <p>In the event a smoke density indicator and recorder is out-of-service for more than two business days while a boiler is operating and firing oil, then a Method 9 Test shall be conducted at least once per day during normal operations and once per day during any scheduled startup, shutdown, soot blowing, burner change, and tune-up/testing events until the day that the smoke density indicator and recorder is placed back in service.</p> <p>In accordance with 310 CMR 7.06(1)(c), and the Approved Plan of Good Operating Practices, the opacity levels during normal operation, startup, shutdown, soot blowing, burner change, and tune-up/testing, as applicable, shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 at least once every twelve months.</p>
Facility-Wide	<p>In accordance with 310 CMR 7.13(1), any person owning, leasing, operating or controlling a facility for which the Department has determined that stack testing is necessary to ascertain compliance with the Department's regulations or design Approval provisos shall cause such stack testing:</p> <ul style="list-style-type: none"> (a) to be conducted by a person knowledgeable in stack testing, (b) to be conducted in accordance with procedures contained in a test protocol which has been approved by the Department, and (c) to be conducted in the presence of a representative of the Department when such is deemed necessary. <p>Pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(b)2., conduct any other testing or testing methodology if and when requested by the Department or EPA.</p>

Table 4

EU#	MONITORING/TESTING REQUIREMENTS
Facility-Wide	Monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.

Table 5

EU#	RECORD KEEPING REQUIREMENTS
EU1	<p>Maintain the test results of biennial Emissions Compliance Testing (Stack Testing) performed in accordance with Approval MBR-95-ECP-005, 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A.</p> <p>In accordance with 310 CMR 7.19(13)(d)3., and Approval MBR-95-ECP-005, record on a daily basis: type fuel(s) burned each day, heat content of each fuel, and the total heating value of the fuel consumed for each day.</p> <p>In accordance with 310 CMR 7.19(13)(d)8., all records required by 310 CMR 7.19(13)(d), including computer retained and generated data, shall be kept in a permanently bound log book or any other form acceptable to the Department.</p>
EU2	<p>In accordance with 310 CMR 7.19(6)(b) 2., and Approval MBR-95-ECP-005, maintain records of the date of tune-up; person(s) conducting tune-up; O₂/CO (for gas) or O₂/smoke spot (for oil) correlations obtained during tune-up; boiler/burner manufacturer's recommended set-points; final boiler set-points as result of tune-up; normal boiler/burner maintenance records; and monthly verifications that the settings determined during the tune-up have not changed.</p>
EU1, EU2	<p>In accordance with 310 CMR 7.19(13)(d)7., and/or Approval MBR-95-ECP-005, maintain records of the nitrogen content of each new shipment of fuel received. Such records shall include fuel analysis results and/or fuel supplier certifications that include the name of the fuel supplier and the location where the sample was drawn for analysis to determine the nitrogen content.</p> <p>Consistent with Approval MBR-95-ECP-005, and pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(b)2., maintain fuel analysis results used to demonstrate compliance with fuel sulfur content requirements.</p> <p>Pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(b)2., record unit parameters, as necessary, to ensure continuous compliance with PM emission limits.</p> <p>In accordance with 310 CMR 7.04(4)(a), maintain results of fuel utilization facility inspection, maintenance, and testing and the date upon which it was performed posted conspicuously on or near the facility.</p> <p>In accordance with 310 CMR 7.04(2)(a), 310 CMR 7.06(1)(c), and the Approved Plan of Good Operating Practices maintain records of Smoke Density Indicator Recording Charts. The keeping of COMS records shall constitute compliance with this requirement.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain records of the information specified in Table 4. The calendar date for each record shall be clearly identified on the record.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain all 40 CFR 60 Appendix A Method 9 records.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a copy of the Plan of Good Operating Practices approved by the Department.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for all smoke density indicator system calibrations.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for any period of malfunction of the smoke density indicator, recorder and alarm system.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for each startup, shutdown, soot blowing, burner change, and tune-up/testing period.</p>

Table 5

EU#	RECORD KEEPING REQUIREMENTS
EU1, EU2	<p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, end time and a description of all maintenance performed on the smoke density indicator, recorder and audible alarm system.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, end time and a description of the operating conditions for each event when the smoke density indicator, recorder and alarm system or Method 9 observations identifies that the opacity exceeded the level for the specific operating condition identified in Table 3.</p> <p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a copy of the certification of the qualified observer for each 40 CFR 60, Appendix A, Method 9 observation.</p>
Facility-Wide	<p>In accordance with Approval MBR-95-ECP-005, maintain on-site, at all times, an up-dated copy of the Standard Operating and Maintenance Procedures (SOMP).</p> <p>Pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(d), maintain the test results of any other testing or testing methodology required by the Department or EPA.</p> <p>Maintain records for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.</p> <p>Keep copies of Source Registration/Emission Statement Forms submitted annually to the Department as required per 310 CMR 7.12(3)(b).</p> <p>In accordance with 310 CMR 7.00: Appendix C(10)(b), maintain records of all monitoring data and supporting information required by this Operating Permit on site for five (5) years from the date of the monitoring sample, measurement, report or initial Operating Permit Application.</p>

Table 6

EU#	REPORTING REQUIREMENTS
EU1	<p>In accordance with 310 CMR 7.19(13)(c) and Approval MBR-95-ECP-005, on a biennial basis beginning with calendar year 1996:</p> <p>(a) submit a pretest protocol for the required Emissions Compliance Test (Stack Test) for review and written Department approval at least 60 days prior to the anticipated date of testing,</p> <p>(b) include in the pretest protocol a description of sampling point locations, sampling equipment, sampling and analytical procedures, and the operating conditions for the required Emissions Compliance Testing, and</p> <p>(c) submit the Emissions Compliance Testing report for the review and written Department approval within 60 days of the completion of the Emissions Compliance Testing.</p> <p>In accordance with 310 CMR 7.19(13)(d)9., submit compliance records within ten (10) days of written request by the Department or EPA.</p>
EU1, EU2	<p>In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, notify the Department, in writing, of any 40 CFR 60, Appendix A, Method 9 test results that indicates the percent opacity to be in excess of that defined in Table 3. The notice shall be given within one business day. Within three business days the facility shall submit: a copy of the Method 9 data sheet(s), copy of smoke density indicator records, an explanation for the elevated opacity, and any proposed revisions to the Approved Plan of Good Operating Practices which will be implemented so as to prevent a recurrence of said exceedance in the future.</p>
Facility-Wide	<p>Pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(d) and in accordance with 310 CMR 7.00: Appendix C(10)(d), and Approval MBR-95-ECP-005, updated versions of the Standard Operating and Maintenance Procedures (SOMP) shall be submitted to the Department. The Department must approve of significant changes to the SOMP prior to the change becoming effective. The updated SOMP shall supersede prior versions of the SOMP.</p>

Table 6

EU#	REPORTING REQUIREMENTS
Facility-wide	<p>In accordance with 310 CMR 7.00: Appendix C(10)(d), submit, upon request, the test results of any other testing or testing methodology required by the Department or EPA.</p> <p>Submit a Source Registration/Emission Statement Form to the Department on an annual basis in accordance with 310 CMR 7.12.</p> <p>Submit by January 30 and July 30 for the previous six months respectively, a summary of all monitoring data and related supporting information to the Department as required by 310 CMR 7.00: Appendix C(10)(c). (See General Condition 10).</p> <p>Submit an Annual Compliance report to the Department and EPA by January 30 of each year and as required by General Condition 10 of this Permit.</p> <p>Promptly report to the Department all instances of deviations from Permit requirements which are not otherwise reported to the Department by telephone or fax, within three days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C(10)(f). (See General Condition 25).</p> <p>All required reports must be certified by a responsible official as provided in 310 CMR 7.00: Appendix C(10)(h).</p>

C. GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

D. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee is currently not subject to the following requirements:

Table 7

REGULATION	DESCRIPTION
310 CMR 7.16	Reduction of Single Occupant Commuter Vehicle Use
42 U.S.C. 7401, §112	Hazardous Air Pollutants

5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to the following special provisions that are not contained in Table 3, 4, 5, and 6:

- Per data as supplied through the Permittee's Operating Permit Application (MBR-95-OPP-056, Transmittal No. 105672), EU1, and EU2 shall continue to emit products of combustion through one stack having the following parameters:

Stack Height	255 feet
Stack Exit Diameter	48 inches
Stack Material	Metal
- The Permittee is subject to, and has stated in their Operating Permit Application (MBR-95-OPP-056, Transmittal No. 105672), that they are in compliance with the requirements of 40 CFR Part 82: Protection of Stratospheric Ozone. These requirements are applicable to this facility and the United States Environmental Protection Agency (EPA) enforces these requirements.
- The Permittee has indicated that it is subject to the requirements of 42 U.S.C. 7401, §112(r) Accidental Release Prevention Requirements: Risk Management under Clean Air Act 112(r)(7), and has submitted to EPA the facility's contingency plan for responding to an accidental release of regulated substances.

6. ALTERNATIVE OPERATING SCENARIOS

The Permittee did not request alternative operating scenarios in its Operating Permit Application.

7. EMISSIONS TRADING

(a) Intra-facility emission trading

The Permittee did not request intra-facility emissions trading in its Operating Permit Application.

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emission trades, provided for in this Permit, may be implemented provided the Permittee notifies The United States Environmental Protection Agency (EPA) and the Department at least fifteen (15) days in advance of the proposed changes and the Permittee provides the information required in 310 CMR 7.00: Appendix C(7)(b)3.

Any intra-facility change that does not qualify pursuant to 310 CMR 7.00: Appendix C(7)(b)2. is required to be submitted to the Department pursuant to 310 CMR 7.00: Appendix B.

(b) Inter-facility emission trading

The Permittee did not request inter-facility emissions trading in its Operating Permit Application.

All increases in emissions due to emission trading, must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and 42 U.S.C. §7401 et seq. (the "Act"), and provided for in this Permit.

8. COMPLIANCE SCHEDULE

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5. In addition, the Permittee shall comply with any applicable requirements that become effective during the Permit term.

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

The Permittee has paid the Permit Application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

10. COMPLIANCE CERTIFICATION

All documents submitted to the Department shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The Department has made available to the Permittee via the Department's web site, <http://www.state.ma.us/dep/bwp/dagc/aqforms.htm>, an "Operating Permit Reporting Kit". The "Operating Permit Reporting Kit" contains instructions, and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification.

a. Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this Permit. The report shall be postmarked or delivered by January 30 to the Department and to the Regional Administrator, United States Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the Permit that are the basis of the certification;
- ii. the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- iv. any additional information required by the Department to determine the compliance status of the source.

b. Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this Permit. The report shall be postmarked or delivered by January 30 and July 30 to the Department. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the Permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;

- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by the Department to determine the compliance status of the source.

11. NONCOMPLIANCE

Any noncompliance with a Permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Act, and is grounds for enforcement action, for Permit termination or revocation, or for denial of an Operating Permit Renewal Application by the Department and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00; and civil penalties under M.G.L. c.111, §142A and 142B. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

12. PERMIT SHIELD

(a) This facility has a Permit shield provided that it operates in compliance with the terms and conditions of this Permit. Compliance with the terms and conditions of this Permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7 for the emission units as described in the Permittee's Application and as identified in this Permit.

Where there is a conflict between the terms and conditions of this Permit and any earlier Approval or Permit, the terms and conditions of this Permit control.

(b) The Department has determined that the Permittee is not currently subject to the requirements listed in Section 4, Part D.

(c) Nothing in this Permit shall alter or affect the following:

- i. the liability of the source for any violation of applicable requirements prior to or at the time of Permit issuance.
- ii. the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
- iii. the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.02(8)(i), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A.

All other terms and conditions contained in this Permit, including any provisions designed to limit a facility's potential to emit, are enforceable by the Department, EPA, and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

14. PERMIT TERM

This Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance

20. PROPERTY RIGHTS

This Permit does not convey any property rights of any sort, or any exclusive privilege.

21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of the Department and EPA to perform the following, as per 310 CMR 7.00: Appendix C(3)(g)12.:

(a) enter upon the Permittee's premises where an Operating Permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this Permit;

(b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

(c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and

(d) Sample or monitor at reasonable times any substances or parameters for the purpose of assuring compliance with the Operating Permit or applicable requirements.

22. PERMIT AVAILABILITY

The Permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the Permit, including any amendments or attachments thereto, upon request by the Department or EPA.

23. SEVERABILITY CLAUSE

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹ emission limitations specified in this Permit as a result of an emergency². In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

¹ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

² An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the Permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

- (a) an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- (b) the permitted facility was at the time being properly operated;
- (c) during the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- (d) the Permittee submitted notice of the emergency to the Department within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

25. PERMIT DEVIATION

Deviations are instances where any Permit condition is violated and not reported as an emergency pursuant to Section 24 of this Permit. Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6 of this Operating Permit shall supercede the following deviation reporting requirements, if applicable.

The Permittee shall report to the Department's Regional Bureau of Waste Prevention the following deviations from Permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

- Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- Exceedances of parameter limits established by your Operating Permit or other Approvals, where the parameter limit is identified by the Permit or Approval as surrogate for an emission limit.
- Exceedances of Permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other Approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other Approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available via the Department's web site, <http://www.state.ma.us/dep/bwp/dagc/agforms.htm>. This report shall include the deviation, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone or fax within 3 days of discovery, said deviations shall also be submitted in writing to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations that do not require 3 day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the Permit and in compliance with all applicable requirements provided the Permittee gives the EPA and the Department written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's Permit. The Permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

27. MODIFICATIONS

(a) Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).

(b) Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).

(c) Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).

(d) No Permit revision shall be required, under any approved economic incentives program, marketable Permits program, emission trading program and other similar programs or processes, for changes that are provided in this Operating Permit. A revision to the Permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an Operating Permit revision under any other applicable requirement.

APPEAL CONDITIONS FOR OPERATING PERMIT

This Permit is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this Permit.

In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to the Department's final action on Operating Permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the Application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a Permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the Permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

The Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below.

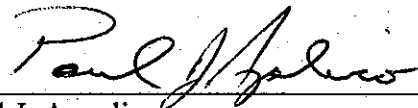
The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

The Department may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

CERTIFICATE

The undersigned, Paul J. Angelico, President of Twin Rivers Technologies Quincy, LLC, a Massachusetts limited liability company (the "Company"), does hereby certify that Michael J. Glinski holds the position of Director of Regulatory Affairs of the Company and that in such capacity he is authorized, in accordance with appropriate corporate policies and procedures, to execute and deliver documents on behalf of the Company.

Executed in Boston, Massachusetts this 25 day of January, 2008.

A handwritten signature in cursive script, appearing to read "Paul J. Angelico", is written over a horizontal line.

Paul J. Angelico
President and Secretary
~~Secretary~~

Name of Generation Unit: Twin Rivers Technology Query LLC

APPENDIX F
CERTIFICATION OF AUTHORIZED REPRESENTATIVE
WHEN THE OWNER OR OPERATOR IS A NON-CORPORATE ENTITY
OTHER THAN AN INDIVIDUAL

RENEWABLE ENERGY PORTFOLIO STANDARD
STATEMENT OF QUALIFICATION APPLICATION
Pursuant to the Renewable Energy Portfolio Standard Regulation at 225 CMR 14.00

RESOLUTION OF AUTHORIZATION

Resolved: that _____, named as
Authorized Representative in section 1.7 of the Statement of Qualification Application to which
this Certification is appended, is authorized to execute said Application on the behalf of
_____, the Owner or Operator of
the Generation Unit named in section 1.1 of said Application.

[signature]

[date]

[title]

[TO BE COMPLETED BY NOTARY] I, _____

as a notary public, certify that I witnessed the signature of the above named
_____, and that said person stated that he or she is authorized to
execute this resolution, and that the individual verified his/her identity to me, on this date:
_____, 20__.

[signature]

My commission expires on: _____

NOTARY SEAL HERE: